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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION  
17

18 ROCHE MOLECULAR SYSTEMS, INC.

19 Plaintiff,

20 v.

21 CEPHEID

22 Defendants.  
23  
24

CASE NO. 3:14-cv-03228-EDL

**STIPULATION AND [PROPOSED]  
ORDER RE: EXTENSION OF  
DEADLINE FOR DEFENDANT  
CEPHEID TO ANSWER OR  
OTHERWISE RESPOND TO  
COMPLAINT**

Hon. Magistrate Judge Elizabeth D. Laporte

Pursuant to Civil Local Rule 6-1 and Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure (FRCP), this Stipulation and [Proposed] Order is entered into by and between Defendant Cepheid and Plaintiff Roche Molecular Systems, Inc. ("Roche") by and through their respective counsel.

WHEREAS Roche filed its initial Complaint on July 16, 2014;

WHEREAS Roche served the summons on July 28, 2014;

WHEREAS counsel for Cepheid and counsel for Roche have now agreed to an extension of time for Cepheid to answer or otherwise respond to the Complaint to and including September 17, 2014; and

WHEREAS this stipulation will not alter the date of any event or any deadline already fixed by Court order and is therefore in accordance with Civil Local Rule 6-1(a);

NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

The deadline for Cepheid to answer or otherwise respond to the Complaint is extended to and including September 17, 2014.

IT IS SO STIPULATED.

Dated: August 8, 2014

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP

By: /s/ Erik R. Puknys  
Erik R. Puknys  
Attorneys for Defendant Cepheid

Dated: August 8, 2014

FRIED FRANK HARRIS SHRIVER &  
JACOBSON, LLP

By: /s/ Stephen S. Rabinowitz  
Stephen S. Rabinowitz  
Attorneys for Plaintiff  
Roche Molecular Systems, Inc.

**ATTESTATION OF E-FILED SIGNATURE**

I, Erik R. Puknys, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order re: Extension of Deadline for Defendant Cepheid to Answer or Otherwise Respond to the Complaint. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Stephen Solomon Rabinowitz has concurred in this filing.

By: /s/ Erik R. Puknys  
Erik R. Puknys  
Attorneys for Defendant Cepheid

**[PROPOSED] ORDER**

Pursuant to the stipulation of the parties and good cause appearing therefore:

The deadline for Cepheid to answer or otherwise respond to the Complaint is extended to and including September 17, 2014

IT IS SO ORDERED.

Dated: August \_\_, 2014

\_\_\_\_\_  
United States Magistrate Judge